

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADELPHIA RECOVERY TRUST,

Plaintiff,

v.

PRESTIGE COMMUNICATIONS OF NC, INC.
et al.,

Defendants.

Case No. 1:07 Civ. 11152 (LMM)

**NOTICE OF DEFENDANTS' THIRD MOTION TO COMPEL
THE PRODUCTION OF DISCOVERY**

PLEASE TAKE NOTICE that upon the Affirmation of Douglas E. Ernst, dated July 14, 2008, and the accompanying Memorandum of Law, Defendants Prestige Communications of NC, Inc., Jonathan J. Oscher, Lorraine Oscher McClain, Robert F. Buckfelder, the Buckfelder Investment Trust, and Anverse, Inc. (collectively, "Defendants"), will move this Court, at a date and time to be determined by the Court, pursuant to Rule 37 of the Federal Rules of Civil Procedure and Rule 37.2 of the Local Rules of the United States District Court for the Southern District of New York, for an order compelling Plaintiff Adelpia Recovery Trust to produce all withheld expert materials from the action styled *Adelpia Commc'ns Corp. v. Deloitte & Touche, LLP*, No. 000598 (Pa. Commw. Ct., Phil. Co., November Term 2002), including, but not limited to (i) Adelpia Communications Corporation's expert reports and expert deposition transcripts, including any exhibits thereto, and (ii) Deloitte & Touche LLP's expert deposition transcripts, including any exhibits thereto, and for such other relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6.1 of the Local Rules of the United States District Court for the Southern District of New York, any opposition to the Motion to Compel shall be served upon counsel to Defendants within four (4) business days after service of the moving papers.

This 14th day of July 2008.

Respectfully submitted,

TROUTMAN SANDERS LLP

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